

Daily Digest

HIGHLIGHTS

Senate confirmed the nomination of Elaine L. Chao, of Kentucky, to be Secretary of Transportation.

Senate

Chamber Action

Routine Proceedings, pages S499–S540

Tillerson Nomination—Agreement: Senate continued consideration of the nomination of Rex W. Tillerson, of Texas, to be Secretary of State, post-cloture. **Pages S503–37**

A unanimous-consent agreement was reached providing that all time during recess or adjournment of the Senate count post-cloture on the nomination; and that following the prayer and pledge, the remaining post-cloture time be equally divided between the two leaders, or their designees. **Page S503**

Nomination Confirmed: Senate confirmed the following nomination:

By yeas 93 to nays 6, 1 responding present (Vote No. EX. 35), Elaine L. Chao, of Kentucky, to be Secretary of Transportation. **Pages S501–03**

Messages from the House: **Page S539**

Executive Communications: **Page S539**

Executive Reports of Committees: **Pages S539–40**

Additional Statements: **Page S537**

Authorities for Committees to Meet: **Page S540**

Privileges of the Floor: **Page S540**

Record Votes: One record vote was taken today. (Total—35) **Page S503**

Adjournment: Senate convened at 12 noon and adjourned at 8:01 p.m., until 12 noon on Wednesday, February 1, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S540.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 115th Congress.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee, adopted its rules of procedure for the 115th Congress; and

The nominations of Ryan Zinke, of Montana, to be Secretary of the Interior, and James Richard Perry, of Texas, to be Secretary of Energy.

Also, Committee announced the following subcommittee assignments:

Subcommittee on Energy: Senators Gardner (Chair), Risch, Flake, Daines, Sessions, Alexander, Hoeven, Cassidy, Portman, Manchin, Wyden, Sanders, Franken, Heinrich, King, Duckworth, and Cortez Masto.

Subcommittee on Public Lands, Forests, and Mining: Senators Lee (Chair), Barrasso, Risch, Flake, Daines, Gardner, Sessions, Alexander, Hoeven, Cassidy, Wyden, Stabenow, Franken, Manchin, Heinrich, Hirono, and Cortez Masto.

Subcommittee on National Parks: Senators Daines (Chair), Barrasso, Lee, Gardner, Alexander, Hoeven, Portman, Hirono, Sanders, Stabenow, Heinrich, King, and Duckworth.

Subcommittee on Water and Power: Senators Flake (Chair), Barrasso, Risch, Lee, Sessions, Cassidy, Portman, King, Wyden, Sanders, Franken, Manchin, and Duckworth.

Senators Murkowski and Cantwell are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 115th Congress.

Also, Committee announced the following subcommittee assignments:

Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism: Senators Risch (Chair), Rubio, Johnson, Young, Portman, Kaine, Menendez, Murphy, and Booker.

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues: Senators Rubio (Chair), Johnson, Flake, Gardner, Isakson, Menendez, Udall, Shaheen, and Kaine.

Subcommittee on Europe and Regional Security Cooperation: Senators Johnson (Chair), Risch, Barrasso, Portman, Paul, Murphy, Markey, Menendez, and Shaheen.

Subcommittee on Africa and Global Health Policy: Senators Flake (Chair), Young, Barrasso, Isakson, Paul, Booker, Coons, Udall, and Merkley.

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy: Senators Gardner (Chair), Risch, Rubio, Barrasso, Isakson, Markey, Merkley, Murphy, and Kaine.

Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy: Senators Young (Chair), Flake, Gardner, Barrasso, Portman, Merkley, Udall, Coons, and Markey.

Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development: Senators Isakson (Chair), Risch, Rubio, Portman, Paul, Shaheen, Coons, Booker, and Udall.

Senators Corker and Cardin are ex officio members of each subcommittee.

NORTH KOREA

Committee on Foreign Relations: Committee concluded a hearing to examine confronting the North Korea threat, focusing on reassessing policy options, after receiving testimony from Nicholas Eberstadt, American Enterprise Institute, and Scott A. Snyder, Council on Foreign Relations, both of Washington, D.C.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nomina-

tion of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Committee adopted its rules of procedure for the 115th Congress; and

Committee announced the following subcommittee assignments:

Subcommittee on Children and Families: Senators Paul (Chair), Murkowski, Burr, Cassidy, Young, Hatch, Roberts, Casey, Sanders, Franken, Bennet, Kaine, and Hassan.

Subcommittee on Employment and Workplace Safety: Senators Isakson (Chair), Roberts, Scott, Burr, Paul, Cassidy, Young, Franken, Casey, Whitehouse, Baldwin, Murphy, and Warren.

Subcommittee on Primary Health and Retirement Security: Senators Enzi (Chair), Burr, Collins, Cassidy, Young, Hatch, Roberts, Scott, Murkowski, Sanders, Bennet, Whitehouse, Baldwin, Murphy, Warren, Kaine, and Hassan.

Senators Alexander and Murray are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee, and adopted its rules of procedure for the 115th Congress.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee, adopted its rules of procedure for the 115th Congress; and

The nomination of Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original resolution authorizing expenditures by the committee during the 115th Congress.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 27 public bills, H.R. 753–779; 1 private bill, H.R. 780; and 11 resolutions, H.J. Res. 50–55; H. Con. Res. 15; and H. Res. 73, 75–77 were introduced.

Pages H817–820

Additional Cosponsors: **Page H821**

Report Filed: A report was filed today as follows:

H. Res. 74, providing for consideration of the joint resolution (H.J. Res. 36) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to “Waste Prevention, Production Subject to Royalties, and Resource Conservation”, and providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation (H. Rept. 115–8).

Page H817

Speaker: Read a letter from the Speaker wherein he appointed Representative Fleischmann to act as Speaker pro tempore for today.

Page H749

Recess: The House recessed at 11:06 a.m. and reconvened at 12 noon.

Page H757

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending title 49, United States Code, to ensure reliable air service in American Samoa: H.R. 276, amended, a bill to amend title 49, United States Code, to ensure reliable air service in American Samoa;

Pages H771–72

Agreed to amend the title so as to read: “To amend title 49, United States Code, to ensure reliable air service in American Samoa.”

Page H772

First Responder Identification of Emergency Needs in Disaster Situations Act: H.R. 58, amended, to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event;

Pages H772–75

Department of Homeland Security Insider Threat and Mitigation Act of 2017: H.R. 666, to amend the Homeland Security Act of 2002 to establish the Insider Threat Program;

Pages H775–76

Department of Homeland Security Clearance Management and Administration Act: H.R. 697,

to amend the Homeland Security Act of 2002 to improve the management and administration of the security clearance processes throughout the Department of Homeland Security;

Pages H776–78

Fusion Center Enhancement Act of 2017: H.R. 642, to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers;

Pages H778–81

Counterterrorism Advisory Board Act of 2017: H.R. 526, amended, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a board to coordinate and integrate departmental intelligence, activities, and policy related to counterterrorism;

Pages H781–82

Airport Perimeter and Access Control Security Act of 2017: H.R. 665, to modernize and enhance airport perimeter and access control security by requiring updated risk assessments and the development of security strategies;

Pages H782–83

Border Security Technology Accountability Act of 2017: H.R. 505, amended, to amend the Homeland Security Act of 2002 to strengthen accountability for deployment of border security technology at the Department of Homeland Security;

Pages H784–85

CBRN Intelligence and Information Sharing Act of 2017: H.R. 677, to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security;

Pages H785–86

Department of Homeland Security Support to Fusion Centers Act of 2017: H.R. 678, to require an assessment of fusion center personnel needs;

Pages H786–87

Department of Homeland Security Stop Asset and Vehicle Excess Act: H.R. 366, to amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department’s vehicle fleet;

Pages H788–89

Department of Homeland Security Acquisition Documentation Integrity Act of 2017: H.R. 347, to amend the Homeland Security Act of 2002 to provide for requirements relating to documentation for major acquisition programs;

Pages H790–91

Transit Security Grant Program Flexibility Act: H.R. 549, to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants; **Pages H791–92**

First Responder Access to Innovative Technologies Act: H.R. 687, to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards; **Pages H792–93**

Cyber Preparedness Act of 2017: H.R. 584, to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats;

Pages H793–94

Gains in Global Nuclear Detection Architecture Act: H.R. 690, to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office;

Pages H794–96

Securing the Cities Act of 2017: H.R. 655, to amend the Homeland Security Act of 2002 to establish the Securing the Cities program to enhance the ability of the United States to detect and prevent terrorist attacks and other high consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas;

Pages H796–97

Medical Preparedness Allowable Use Act: H.R. 437, to amend the Homeland Security Act of 2002 to codify authority under existing grant guidance authorizing use of Urban Area Security Initiative and State Homeland Security Grant Program funding for enhancing medical preparedness, medical surge capacity, and mass prophylaxis capabilities; and

Pages H797–98

United States-Israel Cybersecurity Cooperation Enhancement Act of 2017: H.R. 612, to establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

Pages H798–H800

Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule—Rule for consideration: The House agreed to H. Res. 70, providing for consideration of the joint resolution (H.J. Res. 38) disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule, by a recorded vote of 236 ayes to 186 noes, Roll No. 69, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 183 nays, Roll No. 68. **Pages H761–71**

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages H801 and H801–02. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:09 p.m.

Committee Meetings

MEDICAID OVERSIGHT: EXISTING PROBLEMS AND WAYS TO STRENGTHEN THE PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Medicaid Oversight: Existing Problems and Ways to Strengthen the Program”. Testimony was heard from Ann Maxwell, Assistant Inspector General, Office of Evaluation and Inspections, Office of Inspector General, Department of Health and Human Services; Carolyn L. Yocom, Director, Health Care, Government Accountability Office; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee began a business meeting on the committee’s oversight and authorization plan; and markup on H.R. 396, the “Tax Accountability Act of 2017”; H.R. 194, the “Federal Agency Mail Management Act of 2017”; H.R. 702, the “Federal Employee Antidiscrimination Act of 2017”; H.R. 679, the “Construction Consensus Procurement Improvement Act of 2017”; H.R. 653, the “Federal Intern Protection Act of 2017”; and H.R. 657, the “Follow the Rules Act”.

FRAUD, WASTE AND ABUSE UNDER THE AFFORDABLE CARE ACT

Committee on Oversight and Government Reform: Subcommittee on Health Care, Benefits and Administrative Rules held a hearing entitled “Fraud, Waste and Abuse under the Affordable Care Act”. Testimony was heard from Vicki Robinson, Senior Counselor for Policy, Office of Inspector General, Department of Health and Human Services; John Dicken, Director, Health Care, Government Accountability Office; and a public witness.

**HOUSE JOINT RESOLUTION
DISAPPROVING THE FINAL RULE
SUBMITTED BY THE DEPARTMENT OF
DEFENSE, THE GENERAL SERVICES
ADMINISTRATION, AND THE NATIONAL
AERONAUTICS AND SPACE
ADMINISTRATION RELATING TO THE
FEDERAL ACQUISITION REGULATION;
HOUSE JOINT RESOLUTION PROVIDING
FOR CONGRESSIONAL DISAPPROVAL
UNDER CHAPTER 8 OF TITLE 5, UNITED
STATES CODE, OF THE FINAL RULE OF THE
BUREAU OF LAND MANAGEMENT
RELATING TO “WASTE PREVENTION,
PRODUCTION SUBJECT TO ROYALTIES,
AND RESOURCE CONSERVATION”**

Committee on Rules: Full Committee held a hearing on H.J. Res. 37, disapproving the final rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation; and H.J. Res. 36, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to “Waste Prevention, Production Subject to Royalties, and Resource Conservation”. The committee granted, by voice vote, a closed rule for H.J. Res. 36. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. Additionally, the rule grants a closed rule for H.J. Res. 37. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the joint resolution. The rule provides that the joint resolution shall be considered as read. The rule waives all points of order against provisions in the joint resolution. The rule provides one motion to recommit. Testimony was heard from Chairman Bishop of Utah, Chairman Foxx, and Representatives Lowenthal, Scott of Virginia, and Mitchell.

ORGANIZATIONAL MEETING

Committee on Transportation and Infrastructure: Full Committee held an organizational meeting for the 115th Congress. The committee adopted its rules, authorization and oversight plan, and subcommittee chairs and assignments.

ORGANIZATIONAL MEETING

Committee on Veterans’ Affairs: Full Committee held an organizational meeting for the 115th Congress. The committee adopted its rules and oversight agenda and approved resolutions pertaining to subcommittee ratios, vice-chairman and subcommittee chairman, subcommittee ranking members, subcommittee memberships, and committee staff.

Joint Meetings

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR WEDNESDAY,
FEBRUARY 1, 2017**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Budget: to hold hearings to examine the Congressional Budget Office’s budget and economic outlook, focusing on fiscal years 2017–2027, 10:30 a.m., SD–608.

Committee on Commerce, Science, and Transportation: to hold hearings to examine a growth agenda, focusing on reducing unnecessary regulatory burdens, 10 a.m., SH–216.

Committee on Environment and Public Works: organizational business meeting to consider committee rules, an original resolution authorizing expenditures by the committee during the 115th Congress, and the nomination of Scott Pruitt, of Oklahoma, to be Administrator of the Environmental Protection Agency, 10:45 a.m., SD–406.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the Affordable Care Act, focusing on stabilizing the individual health insurance market, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress; to be immediately followed by a closed briefing from Department of Homeland Security officials, 9:40 a.m., SD–342.

Committee on the Judiciary: to continue an organizational business meeting to consider committee rules, S. 178, to prevent elder abuse and exploitation and improve the justice system’s response to victims in elder abuse and exploitation cases, and the nomination of Jeff Sessions, of Alabama, to be Attorney General, Department of Justice, 10:30 a.m., SD–226.

Committee on Veterans’ Affairs: to hold hearings to examine the nomination of David J. Shulkin, of Pennsylvania, to be Secretary of Veterans Affairs, 2:30 p.m., SD–106.

Special Committee on Aging: organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 115th Congress; to be immediately followed by a hearing to examine stopping senior scams, focusing on developments in financial fraud affecting seniors, 2:30 p.m., SD–562.

House

Committee on Agriculture, Full Committee, organizational meeting for the 115th Congress, 10 a.m., 1300 Longworth.

Committee on Armed Services, Full Committee, hearing entitled “The State of the World: National Security Threats and Challenges”, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, Full Committee, hearing entitled “Rescuing Americans from the Failed Health Care Law and Advancing Patient-Centered Solutions”, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled “Strengthening Medicaid and Prioritizing the Most Vulnerable”, 10 a.m., 2123 Rayburn.

Subcommittee on Energy, hearing entitled “The Electricity Sector’s Efforts to Respond to Cybersecurity Threats”, 10:15 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee

on Europe, Eurasia, and Emerging Threats, joint hearing entitled “Next Steps in the ‘Special Relationship’—Impact of a U.S.-U.K. Free Trade Agreement”, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, organizational meeting for the 115th Congress, 10 a.m., HVC-210.

Committee on Oversight and Government Reform, Full Committee, hearing entitled “Empowering the Inspectors General”, 10 a.m., 2154 Rayburn.

Subcommittee on Government Operations, hearing entitled “Five Years Later: A Review of the Whistleblower Protection Enhancement Act”, 2 p.m., 2154 Rayburn.

Committee on Small Business, Full Committee, organizational meeting for the 115th Congress, 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Full Committee, hearing entitled “Building a 21st Century Infrastructure for America”, 10 a.m., 2167 Rayburn.

Next Meeting of the SENATE

12 noon, Wednesday, February 1

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Rex W. Tillerson, of Texas, to be Secretary of State, post-cloture, and vote on confirmation of the nomination at approximately 2:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 1

House Chamber

Program for Wednesday: Complete consideration of H.J. Res. 38—Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule. Consideration of H.J. Res. 41—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of a rule submitted by the Securities and Exchange Commission relating to “Disclosure of Payments by Resource Extraction Issuers” (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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